

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DEXTER WILSON,

Petitioner,

v.

LORETTA LYNCH,

Respondent.

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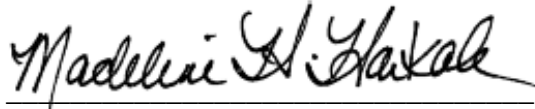
Case No.: 2:15-cv-02240-MHH-JHE

MEMORANDUM OPINION

On December 9, 2015, the magistrate judge assigned to this case directed the Clerk to file Petitioner Dexter Wilson's motion to reduce his sentence pursuant to *Johnson v. United States*, 135 S. Ct. 2251 (2015), styled "2241 Motion Pursuant 2255(e) Savings Clause" as a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. 1). Because Mr. Wilson neither paid the \$5.00 filing fee nor applied to proceed *in forma pauperis*, the magistrate judge issued a notice of deficient pleading on December 10, 2015, informing him that his failure to do one or the other within thirty days of the date of the notice would result in dismissal of his case for want of prosecution. (Doc. 3) (citing FED. R. CIV. P. 41(b)). On January 20, 2016, the Court received an "Inmate Statement" from Mr. Wilson containing what appears to be financial information. (Doc. 4). Because this information did not resolve the pleading deficiency as outlined in the original notice, the magistrate judge sent Mr. Wilson a second notice of deficient pleading and explained that he must either pay the \$5.00 filing fee or submit a verified application to proceed *in forma pauperis* within thirty days. (Doc. 5).

That deadline has passed, and Mr. Wilson has not paid the filing fee or filed an application to proceed *in forma pauperis*. Accordingly, the Court will dismiss his petition without prejudice for want of prosecution. A separate order will be entered.

DONE and **ORDERED** this March 31, 2016.

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive, flowing style. The first name "Madeline" is written in a larger, more prominent script, followed by "H." and "Haikala". The signature is positioned above a horizontal line.

MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE